

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 )  
Tim Ryan for Congress and Michael ) MURs 5262 and 5266  
Fraiola, as treasurer; )  
Dennis Rossi; )  
Second National Bank; )  
Mahoning County Democratic Party )  
and its treasurer )

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal  
Election Commission executive session on March 23, 2004,  
do hereby certify that the Commission decided by a vote of  
5-0 to take the following actions with respect to MURs 5262  
and 5266:

1. Merge MUR 5262 and MUR 5266 and hereafter  
refer to this matter as MUR 5262.
2. Find reason to believe that Dennis Rossi  
violated 2 U.S.C. § 441a(a)(1)(A) and  
(a)(3).
3. Find reason to believe that Tim Ryan for  
Congress and Michael Fraiola, as treasurer,  
violated 2 U.S.C. § 441a(f).

(continued)

4. Find reason to believe that Tim Ryan violated 2 U.S.C. § 441a(f).
5. Find no reason to believe that the Second National Bank violated the Act in this matter and close this matter as it pertains to the Second National Bank.
6. Find no reason to believe that Tim Ryan for Congress and Michael Fraioli, as treasurer, violated the Act as it pertains to the Mahoning County Democratic Party.
7. Find no reason to believe that the Mahoning County Democratic Party violated the Act in this matter and close this matter as it pertains to the Mahoning County Democratic Party.
8. Find no reason to believe that Tim Ryan for Congress and Michael Fraioli, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f) as it pertains to rent payments.
9. Instruct the Office of General Counsel to not enter into pre-probable cause conciliation until after receipt of the response from Tim Ryan as to his personal capacity.
10. Approve the Factual and Legal Analyses, as recommended in the General Counsel's Report dated March 3, 2004; subject to the appropriate revisions.

(continued)

11. Approve the Conciliation Agreements, as recommended in the General Counsel's Report dated March 3, 2004; subject to the following revisions:

12. Approve the appropriate letters.

Commissioners Mason, McDonald, Smith, Thomas, and Toner voted affirmatively for the decision.

Commissioner Weintraub did not vote.

Attest:

March 23, 2004  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of  
the Commission